

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



February 20, 2004

ALL COUNTY INFORMATION NOTICE NO. I-05-04

TO: ALL COUNTY WELFARE DIRECTORS
ALL CalWORKs PROGRAM SPECIALISTS
ALL FOOD STAMP COORDINATORS
ALL TRIBAL TANF COORDINATORS

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CalWORKs) GUIDE TO TRIBAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)

The purpose of this ACIN is to provide interested parties with the attached CalWORKs Guide to Tribal TANF. The guide serves as a step-by-step outline regarding Tribal TANF implementation, and is not intended to be all inclusive. There may be updates as more information is accrued and additional Tribal TANF programs are established.

Of particular interest to the Tribes and the counties, is the process to determine the funding for the Tribal TANF programs. The Guide provides information regarding the process and methodologies used to date. The 2004/05 Governor's budget proposes a change in the funding methodology for Tribal TANF. If passed, this process, along with any changes resulting from TANF Reauthorization will be reflected in future updates of the Guide.

If you have questions regarding this Guide, please contact Shawn Bradley at (916) 653-8395.

Sincerely,

CHARR LEE METSKER, Chief
Employment and Eligibility Branch

Attachment

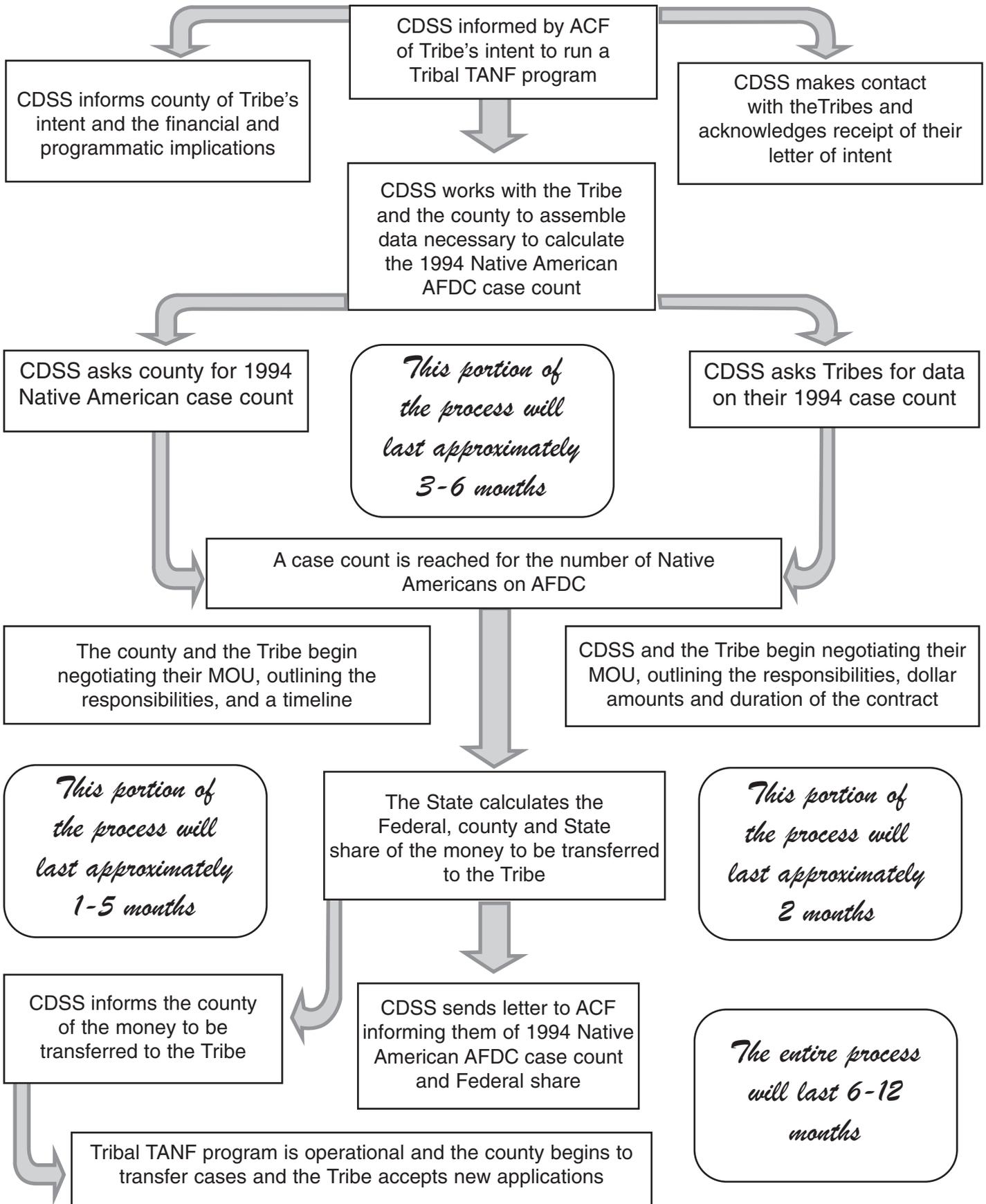
c: CWDA
CSAC

CalWORKs
Guide
to
Tribal
TANF

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TRIBAL TANF TIMELINE



IMPLEMENTING TRIBAL TANF

I. First Contact and Establishing 1994 Case Count

The Administration for Children and Families (ACF) will send the California Department of Social Services (CDSS) a letter informing CDSS of a Tribe's intent to establish a Tribal TANF program (Sample A).

CDSS will send county and Tribe a contact letter referencing the above mentioned letter and informing both parties of the process and what are the next steps (Samples B & C).

- A. Establish a 1994 Native American AFDC case count. There have been three general approaches:
 - Where a hand count of 1994 AFDC case records is available, the Tribal TANF program has reviewed the case records to determine the 1994 AFDC Native American population.
 - The second approach is to use Indian Health Clinic (IHC) Native American patient counts. Because not all counties have IHCs this method is only applicable to certain counties, and requires sufficient information to determine that the patient counts represent Medi-Cal eligible persons from which an AFDC case count can be derived.
 - When neither a hand count nor IHC data is available, Census data is used.
- B. Determine the level of funding that will be transferred from the state and county to the Tribe.
 - This is based on the 1994 caseload count and the 1994 statewide average expenditures for AFDC and the GAIN program.
- C. Notify federal and county governments of the adjustments to the TANF allocation
 - Refer to County Fiscal Letter 03/04-10 for further information on how counties single allocation is impacted.

Negotiations will take place between the county, state and Tribe to reach an agreement for the case count that most accurately reflects the Native American AFDC caseload for 1994.

If the negotiations lead to an agreement on the case count, CDSS will send a letter to ACF Region IX informing them of the number and expenditure information (Sample D).

If an agreement between the state and the Tribe cannot be reached, CDSS will submit its case count and data to ACF Region IX and await their determination.

II. Developing the Memorandums of Understanding (MOU)

Tribe/County

At this point it is important for the county to begin meeting with the Tribe. The relationship between the Tribe and the county will last well into the future and will be more meaningful if both parties establish the relationship with as little intervention as possible from CDSS.

County and Tribe negotiate MOU (Sample E). Items that can be included in the MOU are:

- Referral process between the Tribal TANF program and the county.
- Process to avoid duplication of aid or services between Tribal TANF and CalWORKs.
- Notification and case information processes.

The county may want to begin flagging cases that could possibly be transferred to Tribal TANF.

Tribe/CDSS

CDSS and the Tribe will be negotiating the Tribal/State MOU (Sample F) at the same time as the county. Items that are included in the MOU are:

- Establish reporting requirements for the number of individuals, families and children served with CDSS funds.
- Agreement by the Tribe to spend CDSS funds on MOE countable expenses.
- No duplication of TANF.

III. Implementing the MOU

Native American clients that are transferred to Tribal TANF are still eligible for child care - follow current childcare rules in this area, or contact your child care analyst.

Because Tribal TANF is not authorized to administer Food Stamps or Medi-Cal, the county will continue to provide these services to Tribal TANF clients.

IV. State's Role

The State's primary responsibility is to reach agreement with the Tribe and the county on the case count for the 1994 base year. After the case count is determined, the state's primary role is to adjust county and state budgets as necessary, audit and track all necessary Tribal TANF financial data, provide technical assistance in the process and answer counties' and Tribes' questions.

V. Tribal TANF Related Letters and Notices

ACIN I-54-02

Serving Native Americans in California Work Opportunity
and Responsibility to Kids (CalWORKs)

ACIN I-83-99

Equitable Access to CalWORKs Services

ACIN I-76-97

County Plans and Listing of Tribal Organizations and/or Reservations
and Rancherias and Native American Indian Reservation Lands

Administration for Children & Families
DEPARTMENT OF HEALTH & HUMAN SERVICES



Pacific Hub
50 United Nations Plaza
San Francisco, CA 94102

SAMPLE A

Refer to:

Rita Saenz, Director
Department of Social Services
744 P Street
Sacramento, California 95814

Dear Ms. Saenz:

This is to advise you that the **(name)** Tribe has submitted a Letter of Intent notifying the Administration for Children and Families (ACF) that it intends to submit for approval a three-year Tribal Family Assistance Plan (TFAP) to operate a Temporary Assistance for Needy Families (TANF) Program effective **(proposed implementation date)** and to request data necessary for determining the amount of the Tribe's Family Assistance Grant.

The Letter of Intent indicates that the Indian tribe will provide assistance under the program in **(the Tribe's proposed service area)**.

Section 412(a)(1)(A) of title IV A of the Social Security Act (the Act), as amended by the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), requires the Secretary of the Department of Health and Human Services to pay to each Indian tribe with an approved Family Assistance plan a Tribal Family Assistance Grant. Section 412(a)(1)(B) of the Act further defines the amount of the Tribal Family Assistance Grant to be an amount equal to the total amount of the Federal payments to a State or States under Section 403 (as in effect during such fiscal year) for fiscal year (FY) 1994 attributable to expenditures (other than child care expenditures) by the State or States under Parts A and F (as so in effect) for FY 1994 for Indian families residing in the service area or areas identified by the Indian tribe in its Letter of Intent or Tribal Family Assistance plan.

Thus, the data needed are data attributable to the Federal share of expenditures in the Aid to Families with Dependent Children (AFDC) and the Job Opportunities and Basic Skills Training (JOBS) programs. AFDC expenditures include expenditures for: AFDC maintenance assistance payments; Emergency Assistance (EA); and administration, including EA administration, expenditures for the Family Assistance Management Information Systems (FAMIS) and all other items that were claimed. JOBS expenditures include expenditures for program activities, supportive services and administration.

For Indian Tribes that operated a Federal JOBS program in FY 1994, the Federal share of State Title IV-F expenditures used in the calculation would be for expenditures made on behalf of non-member Indians living in the designated Tribal TANF service area. Any Federal share of expenditures by the State for Tribal members who were served by the State JOBS program should also be included in the calculation.

Section 412(a) (1) (B) (ii) of the Act requires the Secretary to use State submitted data to determine the amount of a Tribal Family Assistance grant. Therefore, we request that you provide the 1994 data attributable to the Federal share of expenditures in the AFDC and JOBS programs for Indian families in the Tribe's designated service area listed above. The data provided by the State should be unadjusted for disallowances and deferrals. In addition, AFDC maintenance assistance payments should not be reduced for child support collections and overpayment recoveries.

In providing this funding information, we ask you to include the exact amount attributable to Indian families in the Tribe's designated service area. If an exact amount is not available, please provide an estimated amount with a detailed explanation of how the estimate was derived. Please identify the separate amounts in each category and submit an explanation for the methodology used to establish these figures.

Section 412(a)(1)(B)(ii)(II) of the Act provides that if the Indian Tribe disagrees with the State submitted data, it may submit additional information to be considered by ACF in making the final determination. In order to facilitate tribal review of State submitted data affecting the determination of the Tribal Family Assistance Grant, we request that your response to this request be sent to this office and to the Indian Tribe at the following address:

(Tribe's name, contact information and address)

If the TFAP is approved the State's Family Assistance Grant will be reduced by the amount determined available to the Tribal TANF program. Section 405(b) of the Act requires that we notify the State of the amount of a reduction no later than three months before it is taken from a State's quarterly installment. However, a State may waive this notice requirement if it wishes to do so. The waiver can be made as part of the letter transmitting the requested data or by separate letter. The amount of the reduction will be equal to one-fourth of the total yearly amount of the Tribal family assistance grant taken on a quarterly basis. In order to promptly notify the State of the reduction, it is imperative that the State data required to make this determination be submitted timely. Therefore, we request these data be submitted to us no later than 30 days from the date of this letter. In order to receive these data as soon as possible, please FAX a copy to **(ACF Regional Office fax #)** attention **(name of the Regional Office contact)**.

A copy of your response should also be sent to:

Administration for Children & Families
Office of Community Services
Division of Tribal Services
370 L'Enfant Promenade, S.W. - 5th Floor West
Washington, D.C. 20447

Public reporting burden for this collection of information is estimated to average 42 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information.

An agency may not conduct or sponsor and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

If you have any questions regarding this request, please contact **(name of ACF Regional Office contact and phone number)**.

Sincerely,

Associate Director
Self Sufficiency Unit

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814

**SAMPLE B**

Tribal entity executive director
Tribal entity program name
Tribal entity executive address

Dear Tribal entity executive director

This letter is to acknowledge that the California Department of Social Services (CDSS) has received a copy of your letter of intent from the Administration for Children and Families (ACF). CDSS has begun the process of determining the number of individuals within your proposed service delivery area who were on aid in 1994 and we will be contacting you soon regarding these figures.

In addition to determining the number of people on aid there will also need to be a great deal of communication between your Tribe, the county and CDSS. In an effort to facilitate this process Maria Hernandez, Chief of the California Work Opportunity and Responsibility to Kids (CalWORKs) Eligibility Bureau has been named as our representative. If you have any questions or require additional information at any time during this process, please contact Ms. Hernandez at (916) 654-1450.

I am confident that we will be able to work together and establish a successful program for the Native Americans in county.

Sincerely,

CHARR LEE METSKER, Chief
Employment and Eligibility Branch

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



SAMPLE C

County Welfare Director
Address
Address
City, State Zip

Dear County Welfare Director:

This letter is to inform you that the Tribal TANF Provider intends to operate its own Temporary Assistance to Needy Families (TANF) Program. This Tribal TANF Program will serve needy federally recognized Indian families living within your county.

The California Department of Social Services (CDSS) will respond to the federal Administration for Children and Families (ACF) with our estimate of the Native American case count in your county for 1994 (please see enclosed letter). In order to respond to ACF we will need your county's available data concerning the number of Native American Indian cases that received AFDC in fiscal year 1994. This will determine the level of funding that will be transferred from your county's allocation to the Tribal TANF Program. We recognize the difficulties associated with determining a case count from this period and we will work with you to overcome any barriers.

In addition to determining the number of people on aid there will also be a great deal of communication between your county, the State and the Tribe. In an effort to facilitate this process, Maria Hernandez, Chief of the CalWORKs Eligibility Bureau, has been named as our representative. Please contact her with the name of your county representative or contact person. If you have any questions or require additional information at any time during this process please contact Ms. Hernandez at (916) 654-1322.

If you need assistance working with the Tribes in your county, please contact Marilyn Delgado, CDSS Tribal Government Liaison, at (916) 657-2648.

I am confident that we will work together and transition toward a successful Tribal TANF Program in your county.

Sincerely,

CHARR LEE METSKER, Chief
Employment and Eligibility Branch

Enclosures

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814

**SAMPLE D**

Ms. Sharon Fujii, Regional Hub Director
Pacific-West Regional Hub
Administration for Children and Families
Department of Health and Human Services
50 United Nations Plaza
San Francisco, California 94102

Dear Ms. Sharon Fujii:

This is in response to your request for data necessary to determine the Family Assistance Grant for the (*Tribal TANF provider*). The data contained in this letter are the federal share of the Federal Fiscal Year (FFY) 1994 expenditures in the Aid to Families with Dependent Children (AFDC) and Job Opportunities and Basic Skills Training (JOBS) programs for member of the tribes under the (*Tribal TANF provider*), Tribal Family Assistance Plan. The original letter of intent submitted by the (*Tribal TANF provider*) included (*number*) tribes from (*county*) and (*Tribal reservation*).

Our estimate of federal fund expenditures for FFY 1994 is (*amount*). The enclosed documents show the breakdown for the Tribal Temporary Assistance to Needy Families (TANF) expenditures and the methodology used in calculating the expenditures.

The CDSS has estimated the Indian population served in the (*county*) area as (*number*) cases. (*County*) had less data available, as there are no reservations in the county. To compute (*county*) tribal population on aid in 1994, CDSS took the total American Indian household population in poverty in (*county*) per the 1994 Census. Previous United States Census Bureau testimony to Congress has acknowledged an undercount among Indian households. Therefore, we increased the 1994 Census count of (*number*) by (*number*) percent, to adjust for the undercount and the passage of time, resulting in a total of (*number*) Indian households in poverty. By dividing the 1994 average monthly caseload in (*county*) by the number of households in poverty we determined that (*number*) percent of the households that lived in poverty in (*county*) received AFDC in 1994. CDSS then multiplied the total Indian households in poverty by (*number*) percent to reach (*number*) total cases on AFDC in (*county*) in 1994.

Tribal JOBS services were not available to the Indian population in (*county*); therefore the entire caseload was used to project JOBS expenditures.

The CDSS waives the three-month requirement of advance notice of the reduction in the State's Family Assistance Grant. For further information, you may contact Kevin Campbell, Manager, at (916) 654-2130 or, Terry Mallin, Program Analyst at (916) 653-8395.

Sincerely,

BRUCE WAGSTAFF
Deputy Director
Welfare to Work Division

Enclosures

**POSSIBLE ELEMENTS INCLUDED IN A
MEMORANDUM OF UNDERSTANDING
BETWEEN THE COUNTY
AND
(TRIBAL ENTITY PROGRAM NAME)**

COUNTY RESPONSIBILITIES

The MOU will need to have a section that lists the county responsibilities which can include:

- Providing a liaison to the Tribal TANF Program to assist in the resolution of issues that may arise during implementation of the Tribal TANF program.
- Providing copies of County Welfare Department policies and procedures for TANF/CalWORKs assistance and services.
- Informing in writing all “TANF/CalWORKs” applicants of potential eligibility to the Tribal TANF program.
- Providing technical assistance, for program development and implementation.

TRIBAL TANF PROGRAM RESPONSIBILITIES

The MOU also needs a section that lists the Tribal TANF program responsibilities which can include:

- Providing a liaison to the county to assist in the resolution of issues that may arise during implementation of the Tribal TANF program.
- Identifying families to be transferred to the Tribal TANF program.

JOINT RESPONSIBILITIES

Both parties have some basic responsibilities that include items such as:

- Informing all applicants and recipients of their right to apply for the Food Stamps and Medi-Cal programs.
- Avoiding duplication of assistance or services.

MISCELLANEOUS

Every Tribal TANF program is different and the agreements that are entered into with the counties will also be different. Additional areas that might be addressed:

- Transfer of case information
- Start-up phase
- Client sanction policies
- Duration of the MOU

MOU #

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CALIFORNIA DEPARTMENT OF SOCIAL SERVICES (CDSS)
AND
[TRIBAL TANF PROVIDER]**

I. PURPOSE

This Memorandum of Understanding (MOU) is entered into between the California Department of Social Services, hereinafter referred to as CDSS, and Tribal TANF Provider, hereinafter referred to as [Tribal TANF Provider], in compliance with Federal Law 42 USC, Section 412, Temporary Assistance to Needy Families (TANF), and State law, Welfare and Institutions Code Section 10553.2, and any subsequent regulations. This MOU provides for the continued transfer of responsibility and funding of TANF services for [description of service delivery area and population to be served.]

II. PARTIES

Parties shall mean [Tribal TANF Provider] and the California Department of Social Services (CDSS).

III. POLICY

- A. [Tribal TANF Provider] has been approved by the Administration for Children and Families to administer a Tribal Family Assistance Grant in accordance with 42 USC, Section 412. [Tribal TANF Provider] shall determine the income and resource standards to be used to determine eligibility and shall inform CDSS of those standards.
- B. CDSS is authorized to make an annual allocation of funds to [Tribal TANF Provider] under the Welfare and Institutions Code, Section 10553.2. The amount of funding shall be based on the State share of funding for Federal Fiscal Year 1994 expenditures under the Aid to Families with Dependent Children (AFDC) and the Job Opportunities and Basic Skills program (JOBS), and programs Administration.

IV. RESPONSIBILITIES

A. Data Reporting

In accordance with provisions set forth in ACF-PA-00-4, [Tribal TANF Provider] shall submit reports outlining the number of individuals, families and children served with CDSS funds. This report will be submitted in the format as prescribed in the attached sample Exhibit A, "Schedule of Functional Expenses". This report is due 45 days after the last day of each quarter.

B. Duplication of TANF Service

1. [Tribal TANF Provider] shall establish/continue agreements with [county(ies)] to ensure that there will be no duplication of TANF services and that all eligible families will be served.
 - a. This provision shall be met through a Memorandum of Understanding (MOU) or similar agreement between the [Tribal TANF Provider] and [each county].
 - b. State General Funds are available when this provision is met:
 1. [Tribal TANF Provider] shall continue their agreements with [Participating County] to ensure that there will be no duplication of TANF services and that all eligible families will be served.
 2. [Tribal TANF Provider] will refer all families not eligible for TANF services from [Tribal TANF Provider] to the appropriate local program.

V. Fiscal Provisions

- A. The total amount of this MOU shall not exceed State funding of \$X,XXX,XXX.XX for the 12-month period beginning XXXX XX, XXXX and ending XXXX XX, XXXX. Funding will be renewed on an annual basis in accordance with Paragraph I of this Section, FISCAL PROVISIONS, of this agreement. [Tribal TANF Provider] agrees to spend the funds issued by CDSS only during the fiscal year they were issued. The funding shall be available as follows:

State Fiscal Year 200X-0X: \$X,XXX,XXX.XX

- B. Invoices of actual expenditures are due quarterly within 45 days after the period being claimed in the format as prescribed in the attached sample "Schedule of Functional Expenses", Exhibit A. Estimated "Schedule of Need", Exhibit B, payments will be subject to the timely submission of expenditure invoices.
- C. CDSS agrees to advance funds to the [Tribal TANF Provider] in accordance with the approved estimated "Schedule of Need", not to exceed 25 percent of the annual amount.
- D. [Tribal TANF Provider] may initiate a request for an advance by submitting an estimated "Schedule of Need", along with a letter of request to CDSS CalWORKs Eligibility Bureau, clearly showing need for said advance.
- E. Quarterly expenditure invoices will be compared to the advance made for that service period. Any needed adjustments will be made to subsequent advances.
- F. All invoices and advance requests, including the estimated "Schedule of Need", shall reference MOU Number 02-6001 and Index Code 1262.
- G. Invoices and/or advances shall be submitted, in triplicate, to:

California Department of Social Services
CalWORKs Eligibility Bureau
744 P Street, M.S. 16-31
Sacramento, CA 95814
Attn.: Tribal Coordinator

- H. Remittances are to be made to:

- I. This MOU is valid and enforceable only if sufficient funds are made available by the State Budget Act of the appropriate fiscal year for the purposes of this program. In addition, if TANF reauthorization alters the budget for CDSS, modifications may be enacted with the [Tribal TANF Provider]. Furthermore, this MOU is subject to any additional restrictions, limitations, or conditions enacted by the Legislature, state or federal, which may affect the provisions, terms or funding of this MOU in any manner.
- J. [Tribal TANF Provider] agrees to provide CDSS with a copy of their Single Audit report required by the Federal Government on an annual basis. Case records and financial records documentation and support for all costs claimed in accordance with this agreement shall be retained for a period of three years. These funds are associated with Maintenance of Effort (MOE) claims therefore, the three years commences after the final claim has been submitted by CDSS for Federal reimbursement. Any records that are pertinent to a criminal or civil litigation or to open audits must be retained beyond three years until such litigation or audits are completely resolved/closed. For the purpose of making audit, examination, excerpts, and transcription, the State shall have access to any of the records which are directly pertinent to this MOU.

VI. DISPUTES

If a dispute arises from this MOU involving the interpretation, implementation, or conflicts of laws, policies and regulations, [Tribal TANF Provider] and CDSS will meet and attempt to resolve the problem in a manner that is allowable under both Tribal and State laws. Both parties will strive to insure the dispute will not result in a disruption of TANF services.

VII. TERM

- A. This MOU will become effective on XXXX XX, XXXX.
- B. This MOU shall remain in effect until XXXX XX, XXXX, unless terminated or amended.
- C. This MOU is subject to any additional restrictions, limitations, or conditions enacted by the Legislature, state or federal, which may affect the provisions, terms or funding of this MOU in any manner.
- D. CDSS and [Tribal TANF Provider] agree to notify each other in writing of changes in their respective Statutes, Codes, Regulations or Ordinances that impact the provisions this MOU. This notification will occur within 30 calendar days from the time the parties become aware of the change.

VIII. TERMINATION

- A. Either party may terminate this MOU by providing the other party 90 days advance written notice. The termination notice from CDSS shall be a letter from the Director, California Department of Social Services, delivered by registered mail to [Tribal TANF Provider]. Receipt of such notice by either party shall begin the 90 day period required for termination.
- B. For purposes of this section, termination notice from [Tribal TANF Provider] shall be a resolution, delivered by registered mail to:

Director
California Department of Social Services
744 P Street, M.S. 17-11
Sacramento, CA 95814

and a copy simultaneously sent to:

California Department of Social Services
CalWORKs Eligibility Bureau
744 P Street, M.S. 16-31
Sacramento, CA 95814
Attn.: Tribal Coordinator

- C. Upon termination of this MOU, any outstanding advances not reconciled to actual expenditures by [Tribal TANF Provider] shall be returned to the CDSS within 45 days.
- D. Upon termination of this MOU, any outstanding invoices for actual expenditures prior to termination shall be submitted to CDSS within 45 days. Upon receipt of invoice, CDSS will remit funds to [Tribal TANF Provider] within 45 days.
- E. E. If [Tribal TANF Provider] retrocedes the Tribal TANF Program back to CDSS, [Tribal TANF Provider] agrees to work with the CDSS and the counties to transition those clients receiving services under this MOU back to the appropriate county for TANF services.

IX. AMENDMENTS

This MOU may be amended only by written mutual consent of both parties.

AGREED:

CALIFORNIA DEPARTMENT
OF SOCIAL SERVICES

By: _____
GLORIA MERK

By: _____
(Authorized Signature)

TITLE: DEPUTY DIRECTOR,
ADMINISTRATION DIVISION

TITLE: _____

DATE: _____

DATE: _____

TRIBAL TANF LETTERHEAD
Schedule of Functional Expenses
 As of [Date]

To: California Department of Social Services
 CalWORKs Eligibility Bureau
 744 P Street, M.S. 16-31
 Sacramento, CA 95814
 ATTN: Tribal Coordinator

Date:
 Invoice#:

MOU#:

Index Code: 1262

CATEGORY	MONTHLY NUMBER SERVED
Families	
Children	
Total Individuals	

	FEDERAL TANF PROGRAM	STATE TANF PROGRAM	TOTAL
	\$	\$	\$
Basic assistance			
Housing assistance			
Emergency assistance			
Clothing assistance			
Advertising			
Contract workers			
Dues & subscription			
Equipment purchases			
Indirect costs			
Miscellaneous expenses			
Office expenses			
Office supplies			
Payroll taxes			
Postage & mailing			
Rent			
Lease, automobile			
Salaries & wages			
Pension plan			
Employee benefits			
Security			
Staff training			
Telephone			
Travel			
Utilities			
Total	\$ _____	\$ _____	\$ _____

I, the undersigned, do hereby certify that the expenditures incurred during the period of _____, met the income and resource requirements for the same period. I further certify that these expenditures have not been reimbursed through any other funding source.

Signature _____ Title _____

Telephone Number _____ Date _____

TRIBAL TANF LETTERHEAD
Schedule of Need
 For [Date]

To: California Department of Social Services
 CalWORKs Eligibility Bureau
 744 P Street, M.S. 16-31
 Sacramento, CA 95814
 ATTN: Tribal Coordinator

Date:
 Advance #:

MOU#:

Index Code: 1262

CATEGORY	NUMBER SERVED
Families	
Children	
Total Individuals	

	FEDERAL TANF PROGRAM	STATE TANF PROGRAM	TOTAL
	\$	\$	\$
Basic assistance			
Housing assistance			
Emergency assistance			
Clothing assistance			
Advertising			
Contract workers			
Dues & subscription			
Equipment purchases			
Indirect costs			
Miscellaneous expenses			
Office expenses			
Office supplies			
Payroll taxes			
Postage & mailing			
Rent			
Lease, automobile			
Salaries & wages			
Pension plan			
Employee benefits			
Security			
Staff training			
Telephone			
Travel			
Utilities			
Total	\$ _____	\$ _____	\$ _____

Remit To: TRIBAL TANF
 MAILING ADDRESS
 CITY, CALIFORNIA 00000

Signature _____ Title _____

Telephone Number _____ Date _____

Sample Tribal TANF Plan

The following is not an exhaustive list of items that could be included in a Tribal TANF Program Plan. This list is to serve as an example of the possible features of a Tribal TANF program.

SERVICE POPULATION and AREA

The Tribal TANF program will outline the geographic region as well as the specific population that will be served. This could include on or near reservation land, as well as urban Indians.

NEEDY FAMILIES

The Tribal TANF plan establishes its own definition of "needy family" in addition to other eligibility requirements.

SUPPORTIVE SERVICES

The Tribal TANF program can provide Tribal TANF recipients with a wide variety of supportive services. Services may include:

- A) Community economic and job development
- B) Domestic violence services
- C) Culturally relevant support services
- D) Child care and transportation
- E) Teen pregnancy, education and juvenile justice services
- F) Medical and non-medical substance abuse services and mental health services
- G) Child welfare services

NON-DUPLICATION of SERVICES

The Tribe as well as the county and the state are mandated to prevent duplication of aid. The Tribal TANF plan describes what steps the Tribe will take to abide by that mandate. Plans may include:

- Having Tribal TANF families certify that they are not receiving assistance from another Tribal/State TANF program.
- Sharing Social Security Numbers of Tribal TANF applicants with county welfare staff to avoid duplication of services.

TRIBAL WORK ACTIVITIES

Tribal TANF programs have great flexibility in what is considered a work activity and may include:

- 1) Subsidized Tribal employment
- 2) Unsubsidized employment
- 3) Subsidized private/public sector employment
- 4) Work experience
- 5) On the job training
- 6) Job search/job readiness assistance and basic skills development
- 7) Post secondary/vocational educational training
- 8) Job skills training directly related to employment
- 9) Education directly related to employment
- 10) Satisfactory attendance in secondary school or in a course of study leading to a certificate of general equivalence
- 11) Domestic violence, substance abuse and mental health counseling, education and rehabilitation (non-medical)
- 12) Small business training
- 13) Life skills training/education
- 14) Culturally relevant work activities

TRIBAL WORK REQUIREMENTS

Tribal TANF programs establish their own work requirements with the Administration for Children and Families (ACF).

TRIBAL OPTIONS

Tribal TANF programs have options, some of which are not available to counties or states. Those options include:

- 1) Family cap.
- 2) Require all applicants, including non-needy caretakers, to complete substance abuse testing at intake.
- 3) Require all school age children to attend school full time and regular attendance.
- 4) Incentives to students with good grades.
- 5) Monetary awards for parents that complete high school certificate, 2-year degree or 4-year degree programs.
- 6) Clothing allowances for every eligible child that attends school.
- 7) Recipients that marry receive a bonus, which is exempted as an available resource.
- 8) Participants are allowed to accumulate assets through a program of individual or family group development accounts.

2004 STATUS OF TRIBAL TANF PROGRAMS IN CALIFORNIA

Tribe	Location	Tribal Members Served	Status
Southern California Tribal Chairmen's Association	San Diego County & Santa Barbara Counties	Reservation Indians	Operational 1998 renewed in 2001
Torres Martinez Tribal TANF	Riverside County & San Bernardino Counties	Reservation Indians	Operational May 2001
Torres Martinez Tribal TANF	Los Angeles County	Urban Indians	Operational January 2002
Torres Martinez Tribal TANF	Expansion Cities	Urban Indians	Operational April 2002
Owens Valley Career Development Center	Inyo County	Reservation Indians	Operational June 2001
Owens Valley Career Development Center	Kern County	Urban Indians	Operational October 2001
Owens Valley Career Development Center	Tulare County	Reservation and Urban Indians	Operational July 2002
Washoe Tribe of Nevada and California	Alpine, El Dorado, and Sacramento Counties	Reservation and Urban Indians	Operational January 2003
Washoe Tribe of Nevada and California	Alameda, Contra Costa, Marin, San Francisco, San Mateo, Santa Clara, Nevada, and Placer Counties	Urban Indians	Estimated start time April 2004
Owens Valley Career Development Center	Fresno and Kings Counties	Reservation and Urban Indians	Estimated start time April 2004
Torres Martinez Tribal TANF	Orange and San Bernardino Counties	Urban Indians	Estimated start time July 2004
Soboba	The Soboba Indian Reservation and the city of Riverside	Reservation and Urban Indians	Estimated start time May 2004
California Tribal TANF Partnership	Glenn, Lassen, Plumas, Napa, Solano, Sutter and Yuba Counties	Reservation and Urban Indians	Operational July 2003
North Fork Rancheria	Madera, Merced, Mariposa Counties	Reservation and Urban Indians	Operational August 2003
Hoopa Valley Tribal Council	Hoopa Reservation located in Humboldt County	Reservation Indians	Estimated start time June 2004
California Tribal TANF Partnership	Amador, Butte, Lake, Modoc, Colusa, Humboldt, Trinity and Del Norte Counties	Reservation and Urban Indians	Estimated start time April 2004
California Tribal TANF Partnership	Sonoma, Mendocino, Shasta, Yolo, Tehama and Siskiyou Counties	Reservation and Urban Indians	Estimated start time June 2004
Owens Valley Career Development Center	Ventura County		Estimated start time April 2004

TRIBAL TANF

FEDERAL CITES

UNITED STATES CODE 42 PUBLIC HEALTH AND WELFARE, CHAPTER 7, SECTION 602

ELIGIBLE STATES; STATE PLAN

"(a) IN GENERAL - As used in this part, the term 'eligible State' means, with respect to a fiscal year, a State that, during the 2-year period immediately preceding the fiscal year, has submitted to the Secretary a plan that the Secretary has found includes the following:

"(5) CERTIFICATION THAT THE STATE WILL PROVIDE INDIANS WITH EQUITABLE ACCESS TO ASSISTANCE.

A certification by the chief executive officer of the State that, during the fiscal year, the State will provide each member of an Indian tribe, who is domiciled in the State and is not eligible for assistance under a tribal family assistance plan approved under section 612, with equitable access to assistance under the State program funded under this part attributable to funds provided by the Federal Government.

UNITED STATES CODE 42 PUBLIC HEALTH AND WELFARE, CHAPTER 7, SECTION 612

DIRECT FUNDING AND ADMINISTRATION BY INDIAN TRIBES.

"(a) GRANTS FOR INDIAN TRIBES

"(1) TRIBAL FAMILY ASSISTANCE GRANT

"(A) IN GENERAL. - For each of fiscal years 1997, 1998, 1999, 2000, 2001, and 2002, the Secretary shall pay to each Indian tribe that has an approved tribal family assistance plan a tribal family assistance grant for the fiscal year in an amount equal to the amount determined under subparagraph (B), and shall reduce the grant payable under section 403(a)(1) to any State in which lies the service area or areas of the Indian tribe by that portion of the amount so determined that is attributable to expenditures by the State.

"(B) AMOUNT DETERMINED

"(i) IN GENERAL. - The amount determined under this subparagraph is an amount equal to the total amount of the Federal payments to a State or States under section 403 (as in effect during such fiscal year) for fiscal year 1994 attributable to expenditures (other than child care expenditures) by the State or States under parts A and F (as so in effect) for fiscal year 1994 for Indian families residing in the service area or areas identified by the Indian tribe pursuant to subsection (b)(1)(C) of this section.

"(ii) USE OF STATE SUBMITTED DATA

"(I) IN GENERAL. - The Secretary shall use State submitted data to make each determination under clause (i).

"(II) DISAGREEMENT WITH DETERMINATION. - If an Indian tribe or tribal organization disagrees with State submitted data described under subclause (I), the Indian tribe or tribal organization may submit to the Secretary such additional information as may be relevant to making the determination under clause (i) and the Secretary may consider such information before making such determination.

"(2) GRANTS FOR INDIAN TRIBES THAT RECEIVED JOBS FUNDS

"(A) IN GENERAL. - The Secretary shall pay to each eligible Indian tribe for each of fiscal years 1996, 1997, 1998, 1999, 2000 and 2001 a grant in an amount equal to the amount received by the Indian tribe in fiscal year 1994 under section 482(i) (as in effect during fiscal year 1994).

"(B) ELIGIBLE INDIAN TRIBE. - For purposes of subparagraph

(A), the term 'eligible Indian tribe' means an Indian tribe or Alaska Native organization that conducted a job opportunities and basic skills training program in fiscal year 1995 under section 482(i) (as in effect during fiscal year 1995).

"(C) USE OF GRANT. - Each Indian tribe to which a grant is made under this paragraph shall use the grant for the purpose of operating a program to make work activities available to members of the Indian tribe.

"(D) APPROPRIATION. - Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated \$7,638,474 for each fiscal year specified in subparagraph (A) for grants under subparagraph (A).

"(b) 3-YEAR TRIBAL FAMILY ASSISTANCE PLAN

"(1) IN GENERAL. - Any Indian tribe that desires to receive a tribal family assistance grant shall submit to the Secretary a 3-year tribal family assistance plan that

"(A) outlines the Indian tribe's approach to providing welfare-related services for the 3-year period, consistent with this section;

"(B) specifies whether the welfare-related services provided under the plan will be provided by the Indian tribe or through agreements, contracts, or compacts with intertribal consortia, States, or other entities;

"(C) identifies the population and service area or areas to be served by such plan;

"(D) provides that a family receiving assistance under the plan may not receive duplicative assistance from other State or tribal programs funded under this part;

"(E) identifies the employment opportunities in or near the service area or areas of the Indian tribe and the manner in which the Indian tribe will cooperate and participate in enhancing such opportunities for recipients of assistance under the plan consistent with any applicable State standards; and

"(F) applies the fiscal accountability provisions of section 5(f)(1) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450c(f)(1)), relating to the submission of a single-agency audit report required by chapter 75 of title 31, United States Code.

"(2) APPROVAL. - The Secretary shall approve each tribal family assistance plan submitted in accordance with paragraph (1).

"(3) CONSORTIUM OF TRIBES. - Nothing in this section shall preclude the development and submission of a single tribal family assistance plan by the participating Indian tribes of an intertribal consortium.

"(c) MINIMUM WORK PARTICIPATION REQUIREMENTS AND TIME LIMITS. -

The Secretary, with the participation of Indian tribes, shall establish for each Indian tribe receiving a grant under this section minimum work participation requirements, appropriate time limits for receipt of welfare-related services under the grant, and penalties against individuals-

"(1) consistent with the purposes of this section;

"(2) consistent with the economic conditions and resources available to each tribe; and

"(3) similar to comparable provisions in section 407(e).

"(d) EMERGENCY ASSISTANCE. -

Nothing in this section shall preclude an Indian tribe from seeking emergency assistance from any Federal loan program or emergency fund.

"(e) ACCOUNTABILITY. -

Nothing in this section shall be construed to limit the ability of the Secretary to maintain program funding accountability consistent with-

"(1) generally accepted accounting principles; and

"(2) the requirements of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

"(f) PENALTIES. -

"(1) Subsections (a) (1), (a) (6), and (b) of section 409, shall apply to an Indian tribe with an approved tribal assistance plan in the same manner as such subsections apply to a State.

"(2) Section 409(a)(3) shall apply to an Indian tribe with an approved tribal assistance plan by substituting 'meet minimum work participation requirements established under section 412(c)' for 'comply with section 407(a)'.

STATE CITES

WELFARE AND INSTITUTIONS CODE 10553.2 FUNDS ALLOCATION TO INDIAN TRIBES ADMINISTERING PROGRAM; CalWORKs PROGRAM WAIVERS AND EXEMPTIONS; CONSULTATION

- (a) The department shall make an annual allocation of funds appropriated for the purpose of this subdivision to all eligible federally recognized American Indian Tribes with reservation lands or rancherias as located in this state that administer a program pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193).

- (d) Each county in the administration of the CalWORKs program shall consult with all eligible federally recognized tribes within any portion of the county, for purpose of providing American Indian recipients with equitable access to assistance under the state program or an approved Tribal TANF program if implemented in the county, to determine county expenditures for tribal recipients, and for the consideration of transfers of funding and administration responsibilities to those entities.



STATE OF CALIFORNIA
Arnold Schwarzenegger, Governor

HEALTH AND HUMAN SERVICES AGENCY
S. Kimberly Belshé, Secretary

DEPARTMENT OF SOCIAL SERVICES
Director